

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SYMBOL TECHNOLOGIES, INC., :  
and WIRELESS VALLEY COMM., :  
INC., :  
 :  
Plaintiffs, :  
 :  
v. : Civil Action No. 07-519-JJF  
 :  
ARUBA NETWORKS, INC., :  
 :  
Defendant. :

**MEMORANDUM ORDER**

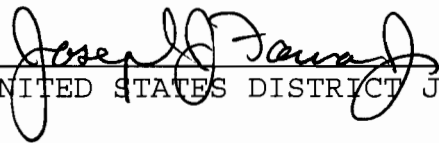
Defendant has filed a Motion To Stay Pending Re-examination of the Patents-in-Suit (D.I. 24). Defendant's motion presents the typical grounds for a stay; however, the Court finds the early stage of the proceedings and conservation of resources contentions unpersuasive in view of the prejudice Plaintiffs may suffer.

Plaintiffs have detailed the difference between an *ex parte* and *inter parties* re-examination and the delay implicit in either. In sum, Plaintiffs argue that Defendant's re-examination strategy will severely prejudice them and not advance resolution of the patent issues in this litigation.

The Court has considered the parties' arguments and concludes that a stay of this matter will unduly prejudice Plaintiffs in pursuing enforcement of their patents and Plaintiffs corresponding business interests.

NOW THEREFORE, IT IS HEREBY ORDERED that Defendant's Motion To Stay Pending Re-examination of the Patents-in-Suit (D.I. 24) is **DENIED**.

May 9, 2008

  
UNITED STATES DISTRICT JUDGE